

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**THOMAS E. CUPPLES, JR.,
ADC #500380**

Plaintiff

v.

MICKEY THORTON, *et al.*,

Defendants

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Case No. 3:05CV00254 JMM/JFF

ORDER

The Court has received the Proposed Findings and Recommended Disposition from Magistrate Judge John F. Forster, Jr. After careful review of the Proposed Findings and Recommended Disposition, the timely objections received thereto, as well as a de novo review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in their entirety. Accordingly, Plaintiff's action is dismissed with prejudice for failure to state a claim upon which relief can be granted, and the dismissal counts as a "strike" pursuant to 42 U.S.C. Section 1915(g).

IT IS SO ORDERED, this 9th day of May, 2006.


UNITED STATES DISTRICT JUDGE